

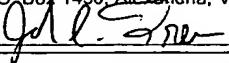


IPW

CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: November 30, 2005 Name: John C. Freeman

Signature: 

BRINKS
HOFER
GILSON
& LIONE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Helmut Harrer

Appln. No.: 10/821,628

Examiner: Guadalupe,
Yaritza

Filed: April 9, 2004

Art Unit: 2859

For: POSITION MEASURING SYSTEM

Attorney Docket No: 12484/3

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL

Sir:

Attached is/are:

Supplemental Information Disclosure Statement, PTO Form 1449, Copy of Search Report for European Patent Application No. 04 00 3235.

Return Receipt Postcard

Fee calculation:

No additional fee is required.

Small Entity.

An extension fee in an amount of \$ _____ for a _____-month extension of time under 37 C.F.R. § 1.136(a).

A petition or processing fee in an amount of \$ _____ under 37 C.F.R. § 1.17(____).

An additional filing fee has been calculated as shown below:

	Claims Remaining After Amendment		Highest No. Previously Paid For	Present Extra	Small Entity		Not a Small Entity	
					Rate	Add'l Fee	or	Rate
Total		Minus			x \$25=			x \$50=
Indep.		Minus			x 100=			x \$200=
First Presentation of Multiple Dep. Claim					+\$180=			+\$360=
					Total	\$	Total	\$

Fee payment:

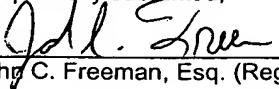
A check in the amount of \$ _____ is enclosed.

Please charge Deposit Account No. 23-1925 in the amount of \$ _____. A copy of this Transmittal is enclosed for this purpose.

Payment by credit card in the amount of \$ _____. (Form PTO-2038 is attached).

The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,



John C. Freeman, Esq. (Reg. No. 34,483)

November 30, 2005

Date



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Name of Registered Representative:

John C. Freeman, Reg. No. 34,483

November 30, 2005
Date of Signature

PATENT
CASE NO. 12484/3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
)
 Helmut Harrer)
) Art Unit: 2859
 Serial No.: 10/821,628)
) Examiner: Guadalupe, Yaritza
 Filed: April 9, 2004)
)
 For: POSITION MEASURING SYSTEM)

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In compliance with Applicant's duty of disclosure under 37 C.F.R. § 1.56 and in
conformance with 37 C.F.R. §§ 1.97-1.98, Applicant hereby submits the following references for
consideration by the Examiner. In particular the requirements of 37 C.F.R. § 1.97(c) have been
satisfied as shown by the attached certification in accordance with 37 C.F.R. § 1.97(e). Copies of
the cited references are not being supplied since copies of the references were previously sent
with Applicant's Information Disclosure Statement filed on July 15, 2004. A completed copy of

Form PTO-1449 is enclosed.

I. DISCLOSURE

A. Foreign Patent References

<u>Reference No.</u>	<u>Country</u>	<u>Pub. Date</u>
42 41 020 A1	Germany	06/09/94
195 23 795 C1	Germany	12/19/96
195 43 372 A1	Germany	05/22/97

II. DISCUSSION

A. German Reference No. 42 41 020

Based solely on the drawings and the previously filed English language Abstract, the '020 reference is pertinent, because it appears to disclose a rotating actuator for a throttle flap with electrical connection contacts and a throttle position sensor within a chamber.

The '020 reference was cited as an A-type reference in a Search Report (copy enclosed) regarding corresponding European Patent Application No. 04 00 3235. An A-type reference provides technical background and is not relevant to patentability.

B. German Reference No. 195 23 795

Based solely on the drawings and the previously filed English language Abstract, the '795 reference is pertinent, because it appears to disclose a cable gland using a crimp sleeve and a collet.

The '795 reference was cited as an A-type reference in a Search Report regarding corresponding European Patent Application No. 04 00 3235.

C. German Reference No. 195 43 372

The pertinence of the '372 reference is discussed in paragraphs 0004 and 0005 of the subject application. Based solely on the drawings and the previously filed English language Abstract, the '372 reference appears to disclose an angle measurement device with a cable strain relieving device inside of a housing.

The '372 reference was cited as an A and D-type reference in a Search Report regarding corresponding European Patent Application No. 04 00 3235.

III. CONCLUSION

It is believed that none of these references, alone or in combination, disclose or suggest the invention claimed. However, Applicant wishes to make it clear that the disclosure of the above references is in no way an admission that they qualify as prior art. It is Applicant's desire, however, to have these references available in the record for both the Examiner and the public to see. Applicant therefore requests that the Examiner review the entire disclosure of each reference and make the above-listed references of record.

Respectfully submitted,



John C. Freeman
Registration No. 34,483
Attorney for Applicant

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(312) 321-4200

Dated: November 30, 2005



CERTIFICATION UNDER 37 C.F.R. § 1.97(e)(1)

I, John C. Freeman, certify that each item of new information contained in the information disclosure statement attached hereto was first cited in a Search Report regarding European Patent Application No. 04 00 3235, which is the European counterpart of United States Patent Application Serial No. 10/821,628. The European Search Report was mailed on November 7, 2005 which is not more than three months prior to the filing of the attached information disclosure statement.

Date: November 30, 2005

John C. Freeman
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STATEMENT UNDER 37 C.F.R. § 1.704(d)

I, John C. Freeman, certify that each item of new information contained in the information disclosure statement attached hereto was first cited in a Search Report regarding European Patent Application No. 04 00 3235, which is the European counterpart of United States Patent Application Serial No. 10/821,628. The European Search Report was not received by any individual designated in 37 C.F.R. § 1.56 more than thirty days prior to the filing of the attached information disclosure statement since the European Search Report was mailed on November 7, 2005.

A handwritten signature in black ink, appearing to read "J. C. Freeman".

Date: November 30, 2005

John C. Freeman
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Attorney for Applicant

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FORM PTO-1449 <i>PATENT & TRADEMARK OFFICE</i>	APPLICATION NO. 10/821,628	ATTORNEY DOCKET NO. 12484/3
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANT'S INFORMATION DISCLOSURE STATEMENT	FILING DATE April 9, 2004	GROUP ART UNIT 2859
(use several sheets if necessary)	FIRST NAMED INVENTOR: Helmut Harrer	
	EXAMINER NAME: Guadalupe, Yaritza	

FOREIGN PATENT DOCUMENTS

EXAMINER INITIALS	Cite No.	Foreign Patent Document Country Code, Number -Number- Kind Code (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Class/Subclass	T
	A1	DE 42 41 020 A1	06/09/94			X
	A2	DE 195 23 795 C1	12/19/96			X
	A3	DE 195 43 372 A1	05/22/97			X

NOTE: For "T" – please place an "X" if an English translation is being provided to the Patent Office.

EXAMINER	DATE CONSIDERED
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;
Draw line through citation if not in conformance and not considered. Include copy of this form with next
communication to applicant.